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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/773,492

Filing Date

February 6, 2004

First Named Inventor

SarahElizabeth Caldwell

Art Unit

1711

Examiner Name

Teresa M. Boykin

Attorney Docket Number

2003/04

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

Remarks

Memo re reasons as to relevance of the references on PTO/SB/09A  
Express mail certificate  
Postcard receipt**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Dougherty Clements

Signature

Printed name

Gregory N. Clements

Date

March 2, 2006

Reg. No.

30,713

**CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: **EXPRESS MAIL # EV 680437957 US**

Signature

Typed or printed name

Nancy Burns

Date

March 2, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATIONS

Applicant: Sarah Elizabeth Caldwell  
Application No. 10/773,492  
Filed: February 6, 2004  
Title: POLYESTER WITH HIGH CARBOXYL END GROUPS  
AND METHODS FOR MAKING  
Examiner: Terressa M. Boykin  
Art Unit: 1711

Charlotte, North Carolina  
March 2, 2006

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Dear Sirs:

**REASONS AS TO RELEVANCE OF THE REFERENCES ON PTO/SB/08A**

Reason for relevance of U. S. Patents 5,244,917 and 5,344,937 is set forth in the Response to the Final Rejection.

U. S. Patent, 5,552,475 which discloses a polyester, dicarboxylic acid and substituted anhydrides. However, the polyesters are solvent based polyesters, suitable polyols does not include ethylene, the patent discloses a very high hydroxyl to carboxyl ratio whereas we prefer a ratio to be approximately 1:1, the substituted anhydride is used to acidify the composition, and has a very low molecular weight of 3000, not 300,000, for example. What is disclosed in this patent can be used to make coatings and is not used for making bottle resin.

Respectfully submitted,

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GNC/nb

Enclosure

- PTOSB/08A

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**EXPRESS MAIL CERTIFICATE**

Express Mail No.: - EV 860437957 US **EV860437957US**

Date of Deposit: - March 2, 2006

Type of Document(s): - Transmittal Form (PTO/SB/21)  
- Response to Final Rejection  
(4 pages)  
- Memo - Reasons as to Relevance of the References  
on PTO/SB/08A (3 pages including PTO/SB/08A)  
- Postcard Receipt

Application No.: - 10/773,492

Filed: - February 6, 2004

Applicant(s): - Sarah Elizabeth Caldwell

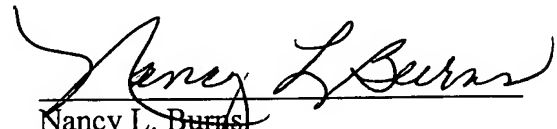
Title: - POLYESTER WITH HIGH CARBOXYL END  
GROUPS AND METHODS OF MAKING

Examiner: - Terressa M. Boykin

Art Unit: - 1711

Attorney Docket No.: - 2003/04

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 USA.**

  
Nancy L. Burns  
Legal Assistant